THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.23702 of 2007

Between:

T.Sandhya Rani.

.. PETITIONER

and

The Tahsildar and others.

.. RESPONDENTS

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THE HON'BLE SRI JUSTICE V.ESWARAIAH

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ORDER:

It is the case of the petitioner that she is the owner of the land admeasuring Ac.0-34 gts. in Sy.No.214/818/2 situated at Wookondi Village, Munugodu Mandal, Nalgonda District. About nine years back, she got drilled a bore well in the said land and with the help of the said bore well, she has been irrigating the said land. It is stated that adjacent to her land, the 2nd respondent has got the land admeasuring Ac.3-00 gts. in the same survey number and he got drilled a bore well in his land on 24-03-2005 within a distance of 150 feet from her bore well. It is the case of the petitioner that drilling a bore well within a distance of 150 feet is an offence. Therefore, the petitioner filed a representation before the 1st respondent on 28-03-2005 to take appropriate action against the 2nd respondent. But, so far, the said representation has not been considered and disposed of.

Under Section 11 of A.P.Water, Land and Trees Act, 2002, if there is any Notification declaring that the ground water basin has over exploited, the Authority may prevent the exploitation of water for a period of six months at a time.

It is not known whether any Notification has been issued or not. In the absence of any Notification, drilling of the bore well is not prohibited. However, I am not inclined to express any opinion whether any Notification has been issued or not.

However, as the petitioner stated that she made a representation before the 1st respondent on 28-03-2005, I am of the opinion that it is just and proper to direct the 1st respondent to consider and dispose of the representation, if any pending, in accordance with law.

Accordingly, the writ petition is disposed of directing the 1st respondent to consider and consider of the representation, if any pending, in accordance with law, as expeditiously as possible, after giving reasonable opportunity to all the concerned. There shall be no order as to costs.

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07-11-2007

Prv